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Filed 21 May 2008

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

LUTZ HEUER, PETER WACHTLER,
MICHAEL SCHWAMBORN, MARTIN KUGLER,
and HANS-ULRICH BUSCHHAUS,
Senior Party
(U.S. Application 08/888,609),

v.

MARK DANIEL McDADE
Junior Party
(U.S. Patent 5,874,456).

Patent Interference No. 105,609 (MPT)
(Technology Center 1600)

Before LEE, MEDLEY, and TIERNEY, *Administrative Patent Judges*.
TIERNEY, *Administrative Patent Judge*.

Judgment – Bd.R. 127

Junior Party Heuer has abandoned the contest and requests adverse judgment
with respect to the subject matter of the count. (Paper 20).

1 It is:

2 **Ordered** that judgment be entered against Heuer for Count 1, the sole
3 count in interference (Paper 1, p. 4).

4 **Further Ordered** that claims 12 and 16 of Heuer's involved
5 application, U.S. Application 08/888,609, are FINALLY REFUSED, 35 U.S.C.
6 §135(a).

7 **Further Ordered** that a copy of this judgment be entered in the
8 administrative records of the involved McDade U.S. Patent 5,874,456 and Heuer
9 U.S. Application 08/888,609.

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11 /Jameson Lee/)
12 JAMESON LEE)
13 Administrative Patent Judge)

14)
15)
16 /Sally C. Medley/) BOARD OF PATENT
17 SALLY C. MEDLEY) APPEALS AND
18 Administrative Patent Judge) INTERFERENCES

19)
20)
21 /Michael P. Tierney/)
22 MICHAEL P. TIERNEY)
23 Administrative Patent Judge)
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